IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

Bail Appl..No. 2556 of 2007(P)

(CC.NO.292 OF 2005 OF JFCM II PERINTHALMANNA SPLIT UP AND REFILED FROM C.C.NO.6 FO 2005 WHICH WAS TRANSFERRED CASE CC.NO.760 OF 2001 FROM JFCM PARAPPANANGADI)

(CRME NO.177 OF 1996 OF THENHIPPALAM POLICE STATION)

.....

PETITIONER/ACCUSED NO.2:

PERUVAKUZHIYAN ALI @ MOHAMMED ALI,
AGED 32, S/O. ABDU HAJI, VANNIYOOR,
THIRURANGADI TALUK.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT:

THE STATE OF KERALA, REPRESENTED BY
STATION HOUSE OFFICER, THENHIPPALAM POLICE
STATION, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2556 of 2007

DATED: 02-05-2007

O R D E R

Petitioner who is the third accused in Crime No.177of 1996 of Thenhippalam Police Station for offences punishable under Sec.3 read with Sec. 25 (1)(a) of Indian Arms Act seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 292 of 2005 on the file of the J.F.C.M-II, Perinthalmanna, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

ani